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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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K&S PRODUCE INC.

Plaintiff,

-against-

100 BROAD STREET, LLC a/k/a ESSEN FOOD,  
ESSEN22 LLC a/k/a ESSEN FOOD, JOHN BYUN,  
CHONG WON BYUN, and WILLIAM BYUN,  
individually and in any corporate

Defendants.

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Index No. 1:20-CV-08786-GHW

**DEFAULT JUDGMENT**

**[Fed. R. Civ. P. 55 (b) (2)]**

Upon consideration of Plaintiff's motion for entry of a default judgment against the Defendants 100 Broad Street, LLC a/k/a Essen Food, Essen22 LLC a/k/a Essen Food, John Byun, Chong Won Byun, and William Byun, the Declaration of Timothy J. Fierst, Esq., dated February 16, 2021, the Declaration of Lee Pakulsky dated February 16, 2021, and the exhibits annexed thereto, the Memorandum In Support of Plaintiff's Motion for Default Judgment Against Defendants 100 Broad Street, LLC a/k/a Essen Food, Essen22 LLC a/k/a Essen Food, John Byun, Chong Won Byun, and William Byun, and upon a hearing of the Plaintiff's motion being held on March 12, 2021 and hearing Timothy J. Fierst, Esq. in support of the motion and there being no opposition thereto, and it appearing to the Court that the Defendants 100 Broad Street, LLC a/k/a Essen Food, Essen22 LLC a/k/a Essen Food, John Byun, Chong Won Byun, and William Byun have failed to plead or otherwise defend in this action; and that a principal

balance in the amount of \$511,877.67 is due to plaintiff K&S Produce Inc., and that Plaintiff has the right to recover against Defendants 100 Broad Street, LLC a/k/a Essen Food, Essen22 LLC a/k/a Essen Food, John Byun, Chong Won Byun, and William Byun, jointly and severally, pursuant to Section 5(c) of the Perishable Agricultural Commodities Act, 7 U.S.C. §499(e)(a-c) (“PACA”), it is hereby

**ORDERED**, that Plaintiff’s motion for entry of a default judgment be, and the same is hereby granted and it is further

**ORDERED, ADJUDGED AND DECREED**, that judgment is hereby entered in favor of Plaintiff, K&S PRODUCE INC., 22-19 160 Street, Whitestone, NY 11357, and against 100 BROAD STREET LLC a/k/a ESSEN FOOD, 100 Broad Street, New York, NY 10004, in the amount of \$184,580.50; in favor of Plaintiff K&S PRODUCE INC., 22-19 160 Street, Whitestone, NY 11357, and against ESSEN22 LLC a/k/a ESSEN FOOD, 100 Broad Street, New York, NY 10004, in the amount of \$327,297.17; in favor of Plaintiff, K&S PRODUCE INC., 22-19 160 Street, Whitestone, NY 11357 and against JOHN BYUN, 100 Broad Street, New York, NY 10004, JOHN BYUN, 100 Broad Street, New York, NY 11357, CHON WON BYUN, 100 Broad Street, New York, NY 10004 and WILLIAM BYUN, 100 Broad Street, New York, NY 10004 jointly and severally in the amount of \$511,877.67; all together with post-judgment interest at the default federal statutory rate set forth in 28 U.S.C. § 1961(a), from the date of entry of this Judgment and Plaintiff have execution therefor, and it is further

**ORDERED, ADJUDGED AND DECREED** that the stay imposed by Fed. R. Civ. P. 62 (a) is hereby vacated, Plaintiff may immediately execute upon this judgment and the Clerk


shall immediately issue an abstract of judgment upon Plaintiff's proper application therefor.

Plaintiff is directed to serve this judgment on Defendants.

The Clerk of Court is directed to adjourn all deadlines, terminate all pending motions, and close this case.

SO ORDERED.

Dated: March 15, 2021  
New York, New York

  
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GREGORY H. WOODS  
United States District Judge